

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

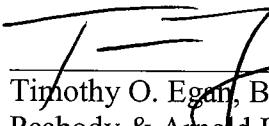
GENE F. OSBURN, Individually and on behalf of)
All Others Similarly Situated,)
Plaintiff,)
v.) Civil Action No. 04-11750 (REK)
FLEETBOSTON FINANCIAL CORPORATION, et al.,)
Defendants.)

MOTION TO ADMIT COUNSEL PRO HAC VICE

Defendants Margaret M. Eisen, Leo A. Guthart, Jerome Kahn, Jr., Steven Kaplan, David C. Kleinman, Allan B. Muchin, Robert E. Nason and John A. Wing (the "Independent Trustee Defendants"), hereby move, by and through their Massachusetts counsel, Timothy O. Egan, Esq., pursuant to LR 83.5.3(b), for the admission *pro hac vice* of Kenneth E. Rechtoris, John W. Rotunno, Daniel J. Hayes and Todd E. Pentecost, as counsel for the Independent Trustee Defendants in this case. The affidavits of Kenneth E. Rechtoris, John W. Rotunno, Daniel J. Hayes and Todd E. Pentecost have been filed herewith. A supporting memorandum of reasons, as required to be filed under LR 7.1(B)(1), is unnecessary as counsel for Plaintiff assents to the relief requested herein. Said assent is certified below pursuant to Mass. L.R. 7.1(A)(2).

The Independent Trustee Defendants

By Their Attorney:



Timothy O. Egan, BBO# 637992
Peabody & Arnold LLP
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617.951.2100

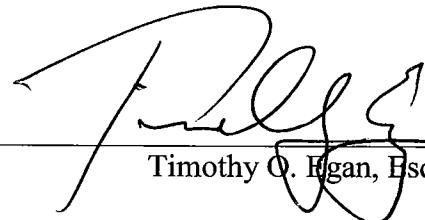
Certificate of Service

I hereby certify that on this 23rd day of November, 2004, a copy of the foregoing Defendants' Motion to Admit Counsel *Pro Hac Vice* has been served by first class mail upon counsel for plaintiff:

Nancy Freeman Gans
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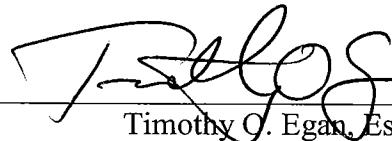
Joseph H. Weiss
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551 Fifth Avenue
New York, NY 10176



Timothy O. Egan, Esq.

LR 7.1(A)(2) Certification

I hereby certify that counsel conferred in good faith before the filing of this motion, and that counsel for Plaintiff, Nancy Gans, Esq., has assented to the relief requested herein.



Timothy O. Egan, Esq.